



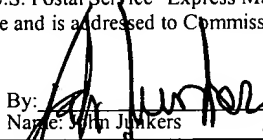
S/N 09/655,074

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NAKA et al. Examiner: L. ALEXANDER
Serial No.: 09/655,074 Group Art Unit: 1743
Filed: September 5, 2000 Docket No.: 10873.164USC2
Title: DEVICE AND METHOD FOR ANALYZING A SAMPLE

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3/12/03
J Proch

CERTIFICATE UNDER 37 CFR 1.10
"Express Mail" mailing label number: EV213723524US
Date of Deposit: March 4, 2003
I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents and Trademarks, Washington, D.C. 20231.
By: 
Name: John Jankers

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Petitioner, Arkray, Inc., through the undersigned attorney-of-record, represents that it is the owner of by assignment of the entire right title and interest in U.S. Serial No. 09/655,074 and U.S. Patent No. 6,001,307.

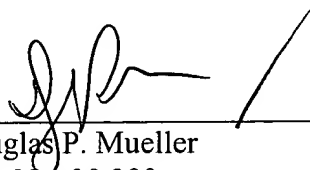
Petitioner, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,001,307 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,001,307, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,001,307, in the event that United States Patent No. 6,001,307 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

MERCHANT & GOULD P.C.
3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402
Telephone: (612) 332-5300

March 4, 2003
Date

By 
Douglas P. Mueller
Reg. No. 30,300
DPM/gr



THE STATEMENT BELOW IS FOR OFFICE USE ONLY

In accordance with the decision granting the petition filed on _____, _____,
this terminal disclaimer is accepted. The period of patent lapse specified above has been
accepted as equivalent to _____ months.

Petitions Examiner

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